

Appl. No. 09/889,496
Amendment Dated October 27, 2003
Reply to Final Office Action of July 25, 2003

REMARKS

The claims have been amended to more clearly describe the invention. In claim 1, Applicants have inserted the description of the variable "X" that was missing. Support for this amendment can be found in the Specification on page 4, line 10. In addition, the definition of the variable R' of formula II of claim 1 has been amended to recite "C₂-C₂₀". Support for this amendment can be found in the Specification on page 5, line 1.

Claims 1, 14 and 16 have been amended to recite "mono-glycidyl" and to replace the phrase "optionally admixtures and auxiliary agents known *per se*" with a list of appropriate admixtures and auxiliary agents. Support for this amendment can be found in the Specification on page 8, lines 24-27.

No new matter has been added.

Rejections Under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1, 14, 16 and 18 as being indefinite for failing to distinctly claim the invention. The Examiner contends that the phrase "optionally admixtures and auxiliary agents known *per se*" appearing in claims 1, 14 and 16 is indefinite because it is not known which agents and which mixtures of them are encompassed by the scope of this claim. Applicants have amended claim 1 to list the examples of admixtures and auxiliary agents that appears in the Specification, thereby overcoming the rejection.

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The Examiner indicates that the letter "X" is missing from line 6 of claim 1.

Applicants have introduced this letter, thereby overcoming the rejection.

The Examiner indicates that claim 18 should read "C₃-C₂₀" because it depends from claim 1. Applicants have amended claim 1 to properly recite the phrase "C₂-C₂₀" in order to correct an error in the definition of formula II. This formula (see page 5, line 1) should recite "C₂-C₂₀". Thus Applicants have overcome the rejection.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 14-16 as obvious over Corcoran (USP 4816500). The Examiner contends that Corcoran discloses a coating composition comprising binder containing (a) 50-95% by weight of an acrylic polymer and (b) 5-50% by weight of a glycidyl component and 0.1-5% by weight of a catalyst. The Examiner also contends that the reference describes acrylic polymers and a composition that contains 20-80% by weight of binder. Lastly, the Examiner concludes that the glycidyl component disclosed reads on the claimed coalescent agent of instant claim 1. Applicants respectfully traverse.

Applicants respectfully point out that claims 14 and 16 have been amended to require a mono-glycidyl ether or ester or a mixture thereof. This component is missing from the Corcoran reference, which requires a glycidyl component having at least two reactive glycidyl groups. The Corcoran reference makes no mention of the use of mono-

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glycidyl components nor provides any suggestions for their use. Thus, Applicants respectfully request reconsideration and removal of the rejection.

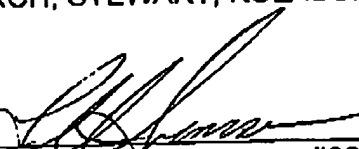
In view of the above remarks, all of the claims remaining in the case are submitted as defining non-obvious, patentable subject matter.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Leonard R. Svensson (Reg. No. 30,330) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

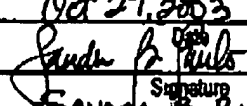
By 
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